

## **REMARKS**

Entry of the Amendment is respectfully requested. Applicant submits the Amendment places the application in condition for allowance and raises no issues not previously considered by the Examiner.

Claim 1 has been amended. Claims 16-20 are newly presented. After entry of the Amendment claims 1-5, 9, 10, and 15-20 are pending.

Applicant submits the claim amendment and newly presented claims raise no issues of new matter. Support for the newly presented claims is found throughout the specification, including at page 3, lines 16-20, and at page 16, lines 23-28.

Applicant notes that U.S. Patent No. 6,432,941 is the U.S. counterpart to WO 00/35930 and that the Examiner has already considered WO 00/35930.

### **Rejection of Claims Under 35 U.S.C. §§ 102(a) or 103(a)**

In a Final Office Action mailed January 15, 2003, the Examiner rejected claims 1-5, 9, 10, and 15 under 35 U.S.C. § 102(a) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Applicant's own work disclosed in WO 00/35930. The Examiner asserts that killing or inhibiting cancer cells necessarily inhibits angiogenesis of cancer cells. In response to the rejection, Applicant has directed the claims as suggested by the Examiner to non-cancerous tissue.

Applicant notes the Examiner has taken the position that killing or inhibiting cancer cells as disclosed in WO 00/35930 necessarily encompasses inhibiting angiogenesis of cancer cells. WO 00/35930 contains the same disclosure as Applicant's patent, U.S. Patent No. 6,432,941 (the '941 patent). Applicant therefore understands that inhibiting angiogenesis of cancer cells is within the scope of treating cancer as disclosed and claimed in the '941 patent. In view of this understanding, Applicant acquiesces to the Examiner's rejection by directing the claims in the present application to non-cancerous tissue.

**Conclusion**

In view of the comments presented herein, favorable reconsideration in the form of a Notice of Allowance is respectfully requested.

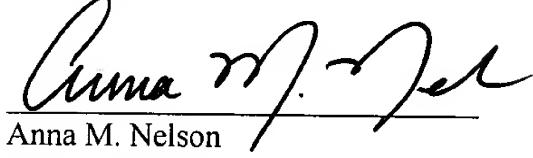


Date:

March 7, 2003

Respectfully submitted,

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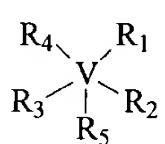
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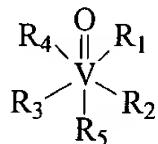
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In the Claims

1. (AMENDED) A method for inhibiting angiogenesis in a non-cancerous tissue comprising administering to a subject an effective angiogenesis inhibiting amount of a vanadium compound having the following structure:



(I)



(II)

wherein,

$R_1$  and  $R_2$  are each independently a monodentate ligand or together form a bidentate ligand;

$R_3$  and  $R_4$  are each independently a monodentate ligand or together form a bidentate ligand; and

$R_5$  is a monodentate ligand, or is absent.

